

Florida International University
Out-of-Unit Faculty Outside Activities and Conflicts of Interest Report
Reporting Period July 2004 June 2010

Please Print (firmly) or Type:
 Name R. Alex Acosta Title/Rank Dean Percent of FTE Employed 100%
 Department or Unit/College or Division Law University Contract Period AY X 12 month

1. In accordance with University rules, I report the following non-university activity (including financial interests). Please indicate the category or categories of the activity as described in the Guidelines as follows: 1. a. See attached b. See attached c. See attached d. See attached e. See attached f. See attached g. See attached h. See attached i. See attached j. See attached 2. See attached

2. Please provide the requested information on each activity or financial interest performed/proposed during the University contract period. Please use additional report forms if necessary.

a. Name of employing or contracting entity or person: _____

b. Nature of activity or financial interest (description of equity interest or intellectual property): _____

c. If consulting or own company, furnish names of clients providing compensation: _____

d. List any of the outside entities identified in (a) or (c) above that do business with FIU: _____

e. List anticipated dates of activity. List Location (if outside of Dade, Broward, and Monroe counties): _____

f. Estimated number of total hours per week: _____ Number of weeks? _____ Est. total weekday hrs? _____ Est. total evening/weekend hrs? _____

g. Are FIU employees and/or students involved? No Yes (explain) _____

h. Will there be more than incidental use of University equipment, facilities or services? No Yes (If yes, please attach FIU Form for Request to Use Equipment/Facilities.)

i. Are you required, as a condition of the employment/activity, to waive any rights you might have to intellectual property you develop, including patent rights? No Yes (If yes, the Vice President of Research and University Graduate School must review and act on the employment/activity.)

Date and Signature of VP of Research: _____

j. Total number of outside activity and financial interest reports submitted during this contractual period including this report 6

3. I hereby certify that the information reported here is accurate. Further, I understand that my engaging in a non-university activity must not create a conflict of interest or interfere with the full and faithful performance of my university professional responsibilities or other university obligations.

Employee's Signature [Signature] Date 10/7/10

4. I understand that all reports of non-university activity checked on the reverse side of this form must be reviewed and acted upon by the appropriate University officials as set forth below. Other information may also be requested in order to completely review the activity if there are potential conflicts involved.

REVIEWER	REVIEWER'S SIGNATURE	APPROVED	CONFLICT	DATE
Chair/Director	_____			
Dean	<u>[Signature]</u>	<u>✓</u>		<u>10/15/10</u>
Provost's Office				

5. If the activity is deemed a conflict or is permitted with conditions, the dean or director should indicate in writing the reasons for the action below or the conditions imposed. (Use additional sheets if necessary.)

6. Conference held? No Yes. If yes, please write a brief summary of action taken. _____

Distribution: Academic Budget, Dean, Employee, Human Resources

RECEIVED
 VICE PROVOST ACADEMIC
 BUDGET & PERSONNEL
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FLORIDA INTERNATIONAL UNIVERSITY
REQUEST TO USE UNIVERSITY EQUIPMENT, FACILITIES AND SERVICES IN CONJUNCTION WITH NON-UNIVERSITY OUTSIDE ACTIVITY

An employee who has received University approval to engage in an outside activity may request approval for the other than incidental use of University equipment, facilities, or services in connection with the non-university outside activity. The University must approve the use in advance. The employee must request such approval by completing and submitting this form. This form should be attached to the Outside Activities and Conflicts of Interest Report. The use of any of these resources will be allowed only on a non-interference basis, and there may be a charge for such use. If in the course of the work, the employee anticipates a change in the dates of use of University resources, a new request for approval must be submitted immediately.

EQUIPMENT

Identify equipment (description (e.g., Fax, E-mail, Computer) decals #, etc.) And describe manner in which it will be used: see attached

Specify date(s) of use: _____ List account(s) identified for reimbursement: _____

Location and address where the equipment will be used (e.g., home, office, other): _____

Department and college or other area(s) in which equipment is assigned: _____

Associated charges (attach basis for determination or explanation if not charge): \$ _____

Signature and Title of Administrator (Custodian) Responsible for the Equipment _____

Date _____

FACILITIES

Identify facility, include location and manner in which the facility will be used: _____

Specify date(s) of use: _____ List account(s) identified for reimbursement: _____

Department and college or other area(s) in which facility is located: _____

Associated charges (attach basis for determination or explanation if no charge): \$ _____

Signature and Title of Administrator (Custodian) Responsible for the Facilities _____

Date _____

SERVICE

Identify service (including names of employees or students, computing service, etc. and describe manner in which the service will be used: see attached

Specify date(s) of use: _____ List account(s) identified for reimbursement: _____

If the request is to use computing services, please include the name of the program, services and/or resources requested: _____

Department and college or other area(s) which will provide services: _____

Associated charges (attach basis for determination or explanation if no charge): \$ _____

Signature and Title Administrator (Custodian) Responsible for the Service _____

Date _____

I hereby certify that the information described is accurate and complete and my use of University equipment, facilities, and services as reported will be solely in conjunction with activities approved on my Outside Activities and Conflicts of Interest Report, which is attached to this request.

APPROVALS:

Chair or Supervisor _____ Date _____

Please Print Name and Campus Address _____

Dean or Director (or Designee) _____ Date _____

Signature of Appropriate University Official _____ Date _____

Employee's Signature _____ Date _____

1. Professional activity:

- a. American Bar Association ("ABA") – Member Commission on Racial and Ethnic Diversity in the Legal Profession.
- b. Appointed by ABA President to Commission for purposes described in Commission name. No financial interest.
- c. No financial interest or clients
- d. ABA does business with FIU. The ABA both accredits FIU Law and does business with faculty and students individually.
- e. Appointment is for 3 years, beginning September 2010.
- f. 4 annual 2 day meetings outside South Florida, and ancillary activity between meetings.
- g. FIU students and employees may be involved in working on issues of racial and ethnic diversity that arise before Commission.
- h. University equipment and facilities used include computer, printer and secretarial services.
- i. No Intellectual Property issues.

2. Professional activity:

- a. Supreme Court of Florida – Member Commission on Professionalism.
- b. Appointed by Chief Justice for purpose described in Commission name. No financial interest.
- c. No financial interest or clients.
- d. The Supreme Court of Florida does business with FIU. The Court licenses FIU Law to offer a J.D., admits FIU law faculty and students to the Bar, and hears matters litigated by FIU law faculty and students individually.
- e. Appointment is at the pleasure of the Court.
- f. 4 annual 1 day meetings outside South Florida, and ancillary activity between meetings.
- g. FIU students and employees may be involved in working on issues before the Commission.
- h. University equipment and facilities used include computer, printer and secretarial services.
- i. No Intellectual Property issues.

3. Professional activity:

- a. Supreme Court of Florida – Member Commission on Innocence.
- b. Appointed by Chief Justice to review cases of wrongful convictions with the purpose of recommending changes to state laws and procedures that will prevent future mistakes.
- c. No financial interest or clients.
- d. The Supreme Court of Florida does business with FIU. The Court licenses FIU Law to offer a J.D., admits FIU law faculty and students to the Bar, and hears matters litigated by FIU law faculty and students individually.
- e. Appointment is at the pleasure of the Court.
- f. 6 annual 1 day meetings outside South Florida, and ancillary activity between meetings.
- g. FIU students and employees may be involved in working on issues before the Commission.
- h. University equipment and facilities used include computer, printer and secretarial services.

- i. No Intellectual Property issues.

4. Activity that may created a conflict:

- a. Harvard University School of Law – Class Marshal.
- b. Selected as the 20th reunion class marshal, to chair reunion and help organize class activities.
- c. No financial interest or clients. Potential conflict as I sign fundraising letters sent to alumni. Provost previous approved activity.
- d. Harvard University may do business with FIU, as many scholarly activities involve university consortiums.
- e. Appointment is based on a class election.
- f. 1 annual meeting outside South Florida, and ancillary activity between meetings.
- g. FIU students and employees are not involved.
- h. No University equipment and facilities used.
- i. No Intellectual Property issues..

5. Activity that may created a conflict:

- a. Cystic Fibrosis Foundation – Honorary Fundraising Committee.
- b. Serve on the fundraising committee for the CF 40 Under 40 Best Attorneys annual gala.
- c. No financial interest or clients. Potential conflict as this is a fundraising activity. I have informed CF that I will support their cause, but except for special asks, I cannot fundraise generally on their behalf.
- d. The CF Foundation do business with FIU, particularly the Medical School
- e. Appointment is at the pleasure of the CF Foundation.
- f. 1 monthly meeting, and ancillary activity between meetings.
- g. FIU students and employees are not presently involved, but may become involved.
- h. University equipment and facilities used include computer, printer and secretarial services. CF may hold meetings on campus.
- i. No Intellectual Property issues.

6. Activity that may created a conflict:

- a. Big Brothers / Big Sisters
- b. Honored as a "Miracle Maker" by BBBS at 2010 Gala.
- c. No financial interest or clients. Potential conflict as this was a fundraising activity.
- d. The BBBS Foundation do business with FIU.
- e. Honor was for 2010 fiscal year and has expired.
- f. 1 annual gala, and ancillary activity.
- g. FIU students and employees are involved with BBBS.
- h. University equipment and facilities used include computer, printer and secretarial services. Also, BBBS holds meetings with students on campus.
- i. No Intellectual Property issues.

FLORIDA INTERNATIONAL UNIVERSITY
Outside Activities and Conflicts of Interest Report
Guidelines for Completing Form
ALL EMPLOYEES EXCEPT IN-UNIT FACULTY

FIU
DIV OF HUMAN RESOURCES

General Remarks

Faculty and staff members may engage in outside activities which provide service to the community and increase professional reputations or income. An employee who proposes to engage in any outside activity, as listed in the Reporting Guidelines below, shall report to the employee's supervisor, on this form, the details of such proposed activity prior to engaging therein. The administration is responsible for reviewing each disclosure to determine if the activity constitutes a conflict of interest, or if there are conditions necessary to manage, reduce or eliminate the conflicts or potential conflicts. In the event the proposed outside activity is determined to constitute a conflict of interest, and the employee disagrees with that determination, the employee may have the matter reviewed by the provost or designee.

An annual report should be submitted at the beginning of each fiscal year, or at such time as there is a significant change in activity (nature, extent, funding, etc.) or when a new outside activity is undertaken. This reporting provision shall apply to activities performed while an employee is in pay status, or is on a compensated leave, including a professional development leave, but shall not apply to activities performed wholly during a period in which the employee has no appointment with the State University System. The employee should still be aware of the conflict of interest considerations that may arise from the latter activities.

An employee's failure to report outside activities and conflicts of interest under Rule 6C-5.945, F.A.C., or to follow any conditions imposed pursuant to the University's review of such activities or conflicts may be grounds for disciplinary action.

Reporting Guidelines

1. You must report the following outside activities and conflicts of interest prior to engaging in the activity:
 - a. ALL Professional activities whether compensated or not.
 - b. Outside activities in which you use, more than incidentally, University facilities, equipment, and/or services.
 - c. Outside activities in which you directly or indirectly supervise a student or other employee with whom you also have a supervisory relationship at the University.
 - d. You (your spouse, children, or immediate family) own, manage in, are employed in, consult for, or have a contractual relation with a business which does business with the University.
 - e. You (your spouse, children, or immediate family) own, manage in, are employed in, consult for, or have other contractual activities with a business which competes with the University.
 - f. You are a candidate for public office.
 - g. You require or recommend the purchase and use of books, supplies, equipment, or other instructional resources created or published by you or by an entity in which you have a financial interest.
 - h. You are engaged in business activities, including service on the board of directors, or other management interest with regard to a business entity in the same discipline or field in which you are employed at this University.
 - i. You are engaged in any employment, contractual relationship, or have financial interests which might create a continuing or recurring conflict between your private interests and the performance your public responsibilities and obligations here at the University, including time commitments. This includes any outside activity in which you are required to waive rights to intellectual property.
 - j. You are engaged in outside activities and financial interests required to be reported under federal contract and grant regulations. Such reports may also need to be made at the time of the submission of the proposal.
2. In addition to the above activities, you must report all uncompensated activities which you should reasonably conclude may create an actual or apparent conflict of interest, including a conflict of time commitments.

Affirmation

The signature on the Outside Activities and Conflicts of Interest Report affirms an awareness of the University's policies on outside activities and conflicts of interest, as well as the completeness and accuracy of the responses. Information on the University's guidelines and procedures on outside activities and conflicts of interest may be obtained from the Human Resources Policy on Conflict of Interest.

<http://www.fiu.edu/hr/newpolicies/pdfpolicies/conflictinterest.pdf>



OUTSIDE EMPLOYMENT – CONFLICT OF INTEREST

Florida International University is required by the State University System and the Florida Statutes to ensure that its employees follow a code of conduct which avoids any conflict of interest, or appearance of conflict of interest, between the performance of the employee's public duties and any outside personal interests.

Chapter 112.313 (7) (a) of the Florida Statutes: "No public officer or employee of an agency shall have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties."

Any University employee considering outside employment must complete a Report of Outside Activity form and submit it to his/her immediate supervisor, prior to engaging in such activity.

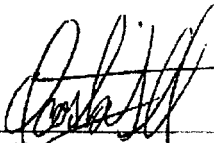
DEFINITIONS:

Outside activity - shall mean any private practice, private consulting, additional employment, teaching or research, or other activity, whether compensated or uncompensated, which is not part of the employee's assigned duties and for which the University provides no compensation.

Conflict of interest - shall mean any conflict between the private interests of the employee and the public interests of the University, the Board of Governors, or the State of Florida, or any activity which interferes with the performance of the employee's professional or institutional responsibilities or obligations.

I have read and fully understand this policy as a condition of employment at Florida International University and with the State of Florida.

Alex Acosta
Print Name


Signature

11/12/12
Date